

Message Text

CONFIDENTIAL

PAGE 01 STATE 277365

12

ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTe-00 INR-05 NSAE-00 RSC-01 FAA-00 L-02 /024 R

DRAFTED BY EB/AN:AJRIMAS:TP

APPROVED BY EB/AN:MHSTYLES

CAB - D. LITTON

ARA/BR - J. SLATTERY

----- 108114

R 182245Z DEC 74

FM SECSTATE WASHDC

TO AMCONSUL RIO DE JANEIRO

INFO AMEMBASSY BRASILIA

C O N F I D E N T I A L STATE 277365

E.O. 11652: GDS

TAGS: EAIR, BR

SUBJECT: CIVAIR - DESIGNATION OF CRUZEIRO DO SUL

REF: RIO DE JANEIRO 4544

1. APART FROM UNOFFICIAL US MINUTES OF 1968 CONSULTATIONS WE ARE UNAWARE OF ANY DOCUMENTS THAT WOULD VERIFY GOB'S ACKNOWLEDGEMENT THAT PUERTO RICO WAS SPECIFICALLY EXCLUDED FROM ROUTE B-2. HOWEVER, SUCH POSSIBLE EVIDENCE IS NOT THE CENTRAL ARGUMENT. CONGEN SHOULD MAKE REPRESENTATIONS TO BRIGADIER CALDOS SANTOS ALONG FOLLOWING LINES WHICH ARE ANALOGOUS TO CONGEN'S APPROACH PER PARA 3 REFTTEL.

2. ROUTE B-2 IS DESCRIBED AS FOLLOWS: BRAZIL VIA INTERMEDIATE POINTS IN SOUTH AMERICA AND CARIBBEAN TO MIAMI AND CHICAGO. PUERTO RICO IS NOT INCLUDED. SINCE PUERTO RICO IS US TERRITORY, IT WOULD HAVE TO BE SPECIFICALLY NAMED IN THE ROUTE DESCRIPTION FOR TRAFFIC RIGHTS TO BE AUTHORIZED. SINCE ESTABLISHED INTERNATIONAL PRACTICE IS TO LIST INDIVIDUALLY ALL POINTS IN THE TERRITORY OF THE OTHER SIDE, IN DESCRIBING A ROUTE FOR ONE SIDE AND PUERTO RICO DOES NOT APPEAR IN BRAZIL'S ROUTE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 277365

THAT TRAFFIC RIGHTS BY BRAZIL TO PUERTO RICO WERE NOT

AUTHORIZED UNDER TIS ROUTE SCHEDULE. THE GEOGRAPHIC

DESCRIPTION "CARIBBEAN" CANNOT BE INTERPRETED IN THIS
CONTEXT TO ENCOMPASS PUERTO RICO BECAUSE THE LATER IS
US TERRITORY.

3. THE ILLOGIC OF ANY POSITION WHICH WOULD CLAIM THAT
PUERTO RICO IS IN THE SAME CATEGORY AS AN INTERMEDIATE
POINT IN A THIRD COUNTRY IS SHOWN BY THE FACT THAT, IF
SUCH A CLAIM HAD VALIDITY, BRAZIL WOULD HAVE TRAFFIC
RIGHTS BETWEEN PUERTO RICO AND MIAMI AND BETWEEN PUERTO
RICO AND CHICAGO. SUCH RIGHTS ARE CABATAGE AND ARE NOT
AVAILABLE TO BRAZIL UNDER THE CHICAGO CONVENTION, THE
AIR TRANSPORT AGREEMENT, OR UNDER US LAW. KISSINGER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, AIR ROUTES
Control Number: n/a
Copy: SINGLE
Draft Date: 18 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: elyme
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE277365
Document Source: CORE
Document Unique ID: 00
Drafter: AJRIMAS:TP
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740369-0068
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741224/aaaaaupn.tel
Line Count: 75
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 74 RIO DE JANEIRO 4544
Review Action: RELEASED, APPROVED
Review Authority: elyme
Review Comment: n/a
Review Content Flags:
Review Date: 10 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10 SEP 2002 by elyme>; APPROVED <18 MAR 2003 by elyme>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR - DESIGNATION OF CRUZEIRO DO SUL
TAGS: EAIR, BR, US, RQ
To: RIO DE JANEIRO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005